the same shall be Enrolled & shall be such Endorsement set his hand and
Provided always & be it further Enacted by the Authority aforesaid that when
the Grantor or Grantors Bargainor or Bargainors of such Lands Tenements or
Hereditaments shall live remote from either the Provincial Court or County
Court where the Land lieth it shall & may be lawfull for such Grantor or
Bargainor to acknowledge the same in the County where such Bargainor lies
& a Certificate of such acknowledgment under the hand of the County Clerk under
the Seal of the same County of such acknowledgment shall be taken deemed
reputed & to as good & Valid as if the same had been acknowledged either in
the Provincial or County Court where such Land lieth & be a sufficient
Warrant for such County Clerk where the Land lieth to Enroll the same
And if any such Grantor or Bargainor of any Lands or Tenements as aforesaid
shall happen to be out of this Province within any of his Majestys - -
Dominions at the time of the Ensealing of such Writing or Writings -
indented so as the same cannot be acknowledged as is before directed or
Enrolled within the time for that purpose herein before limitted that in
Every such Case such Lands or Tenements as aforesaid shall be acknowled
ged by a Letter of Attorney well & sufficiently proved Either in the Provinci
al or County Court where such Lands & Tenements lye or before one Justice
of the Provincial Court or two Justices of the County Courts aforesaid any
thing herein before Contained to the Contrary notwithstanding And be it
Further Enacted by the Authority aforesaid that Every such Writing -
indented to be acknowledged & Enrolled as aforesaid shall have relation as
to the passing & Conveying of the Premisses & the Estate & Estates thereby
passed or intended to be passed & Conveyed by & from the Day of the Enrollment
of the same & not from the Day of the Date thereof & shall at all times be -
Construed & taken more favourably and beneficially for the benefit & advan -
tage of the Grantee or Grantees & more Strongly for the barring the Grantors
therein to be named & according to such intents as by the Words thereof -
shall appear to have been the true intent of the parties thereunto altho
the same be not firmly drawn as is used in England where the advise
of Counsill learned in the Law may be easily had Provided Always that
if any Feme Covert be named as a Grantor in any such Writing indent
-ed the same shall not be in force to debar her or her Heirs Except upon
her acknowledgment of the same & the Person or Persons taking such her -
acknowledgment shall Examine her privately out of the Hearing of her
Husband whether she doth make her acknowledgment of the same willing
-ly & freely & without being induced thereto by fears or threats of or ill -
usage by her Husband or fear of his Displeasure And that the person or
persons so Examining her, shall (in a note or Certificate of the taking the -
said acknowledgment) Certifye her Examination & acknowledgment -
thereupon & that such Certificate be likewise Enrolled upon Record in -
-volved Case & by such acknowledgments & Certificates Feme Coverts shall
be barred & not otherwise & shall also be barred of their Dower by such like
acknowledgment where they have only a Right of Dower in the Estate -
(Conveyed)

Conveyed all the not named in the Deed thereof any thing herein Contained -
to the Contrary notwithstanding Provided always and be it further Enacted
by the Authority aforesaid by and with the advice & Consent aforesaid that where -
any acknowledgment or acknowledgments of any Deed or Deeds Convey -
-ance or Conveyances by whom that had right to grant bargain & sell -
any Manners Lands Tenements or Hereditaments within this Province
have been made during the Continuance of any former such Acts of
Assembly before one Justice of the Provincial Court or before one or two of
the Council & Enrolled according to the Directions of the former Acts shall be
good & Effectual in Law to all intents Constructions & Purposes whatsoever
any thing in this Act Contained to the Contrary thereof in any wise -
notwithstanding And the Jurors aforesaid further find that on the 21th Day of May Anno
Dom 1673 the Land in Dispute was Conveyed by John Fitzherbert & Mary his
Wife to Richard Hoy by Deed duly Enacted which Deed followeth in these -
words This Indenture made the four & twentieth day of May in the year of our
Lord God One thousand Six hundred & Seventy three Between John Fitzherbert
of West St Marys in St Marys County in the Province of Maryland Gent &
Mary his Wife of the one part & Richard Hoy of St Marys City in the same -
County Merchant of the other part Witnesseth that the said John Fitzherbert
& Mary his Wife for & in Consideration of the Sum of one hundred thousand
pounds of Tobacco to them in hand paid by the said Richard Hoy at & before
the Ensealing & Delivery of these presents the Receipt whereof they & either of
them do confess & acknowledge & thereof & of Every part & parcell thereof for
themselves their Heirs Exrs & Administrators do & each acquit Generally
& Discharge him the said Richard Hoy his Exrs Admrs & Assigns by these Presents
And for divers other good Causes & Considerations them thereunto especially
moving have granted aliened Bargained & sold & by these Presents do -
grant bargain alien & sell unto the said Richard Hoy his Heirs & Assigns
all that the Neck of Land lying nearest hog Neck about Kent fort bounding
on the East West and South with Chesapeak Bay on the North with a line
drawn through the Woods Straight East Beginning at the North Easternmost
branch of the Creeke Called North west Creek & Extending in a Swamp on the East
Side of the said Neck in Chesapeak Bay Containing - laid out in the whole -
for One thousand Acres be the same more or less & Called by the name &
Manner of Kent fort & lying in Kent County in the said Province which
said Manner & Land aforesaid was about the Seventh Day of September in the
year of our Lord One thousand Six hundred & forty by Letters Patents under
the great Seal of this Province granted by the Right Honble the Lord Proprey
of the said Province of Maryland to Giles Brent & his Heirs & Assigns
for Ever to be held of his Lordships Manor of St Marys under the Rent of two
Barrells of Corne And by the said Giles Brent granted & Conveyed to Margaret
Brent her Heirs & Assigns for Ever & by the said Margaret granted Convey
-ed & given Devised or bequeathed to the said Mary late Mary Brent -
Daughter of the said Giles & Niece of the said Margaret & now Wife of the
said John Fitzherbert party to these Presents & her Heirs for Ever And all Lands
(Tenements)